

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, MAY 16, 1972  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet,  
Hitch, Bates, and Mayor Wilson.  
Absent--Councilman Landt.  
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:42 a.m.

(Item 1)

In the absence of a Clergyman, Councilman Martinet gave the  
Invocation.

(Item 2)

Councilman Morrow led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed fifty-five students from Mission Bay High  
School, accompanied by Michael Hay and Jane Rhodes, instructors.  
Councilman Martinet addressed the group.

(Item 4)

A communication from Anthony Lorenzo Hodges requesting permission  
to address the Council regarding the dismissal of the Improvement  
Act of 1911, was presented.

No one appeared to be heard and this item was filed.

(Item 5)

Considered after Item 6.

(Item 6)

Considered after Item 10.

(Item 7)

The hour of 9:30 a.m. having arrived, the Mayor announced this  
was the time and place set for the hearing, continued from the  
Meetings of February 29, April 11, and May 9, 1972, at applicant's  
request, on the Appeal of Larwin Properties Corporation, by

(Item 7 Continued)

Theodore Rhodes, president, from the decision of the Planning Commission denying its application as owner, and Standard Oil Corporation of California, Inc., permittee, under Conditional Use Permit Case No. 326-PC, to construct and operate a service station facility, located on the northwest corner of Mira Mesa Boulevard and Black Mountain Road, between Mira Mesa Boulevard and Gemini Avenue, being a portion of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 31, Township 14 South, Range 2 West, S.B.B.M., in the Interim A-1-1 Zone. It was reported that no written protests had been received.

Ralph Lovett appeared to request a continuance.

Assistant City Attorney Teaze answered questions directed by the Council.

On motion of Councilman Johnson, said hearing was continued to Tuesday, June 6, 1972, at a time certain of 10:00 a.m., at applicant's request, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Hitch, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-Councilman Landt.

(Items 8 and 9)

Considered after Item 13.

(Item 10)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of vacating Fifth Avenue northerly of the south line of Lot 18, Block 1, Fifth Street Addition; and Sixth Avenue between the north line of Lot 29, Fleischer's Addition and State Highway 163 R.O.W. - Resolution of Intention 205385. It was reported that no written protests had been received.

James McLaughlin, Community Development Department, answered questions directed by the Council.

Don Addison appeared to request a continuance.

On motion of Councilman Williams, said hearing was continued to Tuesday, June 13, 1972, for preparation of final map.

(Item 6)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of January 25 and February 22, 1972, at applicant's request, on the Appeal of Mobil Oil Corporation and Rinker Development Company, by Gerald M. Dawson, attorney, from a condition in the decision of the Planning Commission approving its application under Conditional Use Permit Case No. 321-PC to construct and operate a service station with accessory sales, located on the northeast corner of the intersection of 47th Street and Imperial Avenue, more

(Item 6 Continued)

particularly described as Lots 1 through 11, Sunshine Gardens, in the C and R-4 Zones. Applicant requests a freestanding identification sign. It was reported that no written protests had been received.

Gerald Dawson appeared to request a continuance.

Ken Klein, Planning Department, answered questions directed by the Council.

Councilman Williams made a motion to continue the hearing, which he later withdrew.

Councilman Williams made a motion to close the hearing, deny the appeal, overrule the Planning Commission, and deny the CUP. After discussion by the Council, this motion was withdrawn also.

On motion of Councilman Martinet, said hearing was continued to Tuesday, June 13, 1972, at applicant's request.

(Item 5)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of May 9, 1972, at applicant's request, on the Application of Nasland Engineering, by Roger D. Simpson, for special permission to waive underground electrical line requirements in connection with the tentative subdivision map of Montgomery Industrial Park Unit 2, located on the westerly side of National Avenue, northerly of Iris Street, in the South San Diego area, in the Interim A-1-1 (proposed M-1A) Zone. It was reported that no written protests had been received.

Colonel Clapp appeared to speak regarding a continuance.

On motion of Councilman Morrow said hearing was continued to Tuesday, May 30, 1972, at applicant's request.

Mayor Wilson recessed the Meeting at 10:26 a.m. and the Council went into Executive Session with the Meet and Confer Team. Upon reconvening at 11:22 a.m., the roll call showed Councilman Landt absent.

(Items 11 through 12)

Considered after Item 9.

(Item 13)

A proposed Ordinance, establishing a Schedule of Compensation for employees in the classified service of The City of San Diego for the fiscal year 1972-73, was presented.

City Manager Moore answered questions directed by the Council.

Jim Grogan, Local 187, Barry Hammitt, Joe Carpenter, Local 127, Joe Francis, Local 145, Lt. DiCerchio, and Admiral Karaberis appeared to speak in opposition to the proposed Ordinance.

(Item 13 Continued)

A proposed Ordinance, establishing a schedule of compensation for employees in the classified service of The City of San Diego for the fiscal year 1972-73, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Landt.

Mayor Wilson recessed the Meeting at 12:10 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:10 p.m., the roll call showed Councilman Landt absent.

(Item 8)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Appeal of A-1 Advertising & Sign Service, Inc., by R. G. Chichester, president, from the decision of the Board of Zoning Appeals which denied the appeal of Parker Foster, owner, and A-1 Advertising & Sign Service, lessee, (Zoning Administrator Case No. 4671-Amendment) for an extension of time of one year to maintain an 8' x 12', single-faced, lighted, directional ground sign advertising "El Camino Memorial Park". Subject property is located on a portion of the NW¼ of Section 12, Township 15 South, Range 3 West, S.B.B.M., on the north side of Miramar Road, approximately 2200' east of Carrol Canyon Road, in Zone A-1-10. It was reported that no written protests had been received.

Dick Chichester appeared to speak in favor of the Appeal.

Jim Herrick and Assistant City Attorney Teaze answered questions directed by the Council.

The hearing was closed and the following Resolution adopted on motion of Councilman Bates:

RESOLUTION 205583, granting the appeal of Parker Foster, owner, by R. G. Chichester, president, from the decision of the Board of Zoning Appeals and granting to Parker Foster a time extension of one year from January, 1972, as set forth in variance Case No. 4671.

(Item 9)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 21 and April 18, 1972, for City Manager and Planning Department Reports, on the Appeal of Penasquitos, Inc., owner/permittee, by Alan W. Rand, from the decision of the Planning

(Item 9 Continued)

Commission in failing to approve its application for an amendment to Conditional Use Permit No. 5206 for Phase Plan Approval to construct and operate 1106 units to bring the total number of living units to 3002 as approved on original permit, located east of Penasquitos Drive, between Almayon Street and Del Diablo Way, more particularly described as a portion of Rancho Penasquitos and Penasquitos Glenss, Units 6-9, in the R-1-5 Zone. It was reported that no written protests had been received.

Ken Klein, Planning Department, Assistant City Attorney Teaze, and John Fowler, Community Development Department, answered questions directed by the Council.

Councilman Williams left the Chamber.

Chuck Warren appeared to speak in favor of the appeal.

William Iseberg, Kenneth Williams, and Gerald Fox appeared to speak in opposition to the appeal.

Councilman Johnson made a motion to close the hearing, deny the appeal, and deny the Phase Plan. No vote was taken at this time.

On motion of Councilman Bates, further debate was cut off, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-Councilmen Landt and Williams.

The hearing was closed and the following Resolution adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Hitch. Absent-Councilmen Landt and Williams.

RESOLUTION 205584, denying the appeal of Penasquitos, Inc., from the decision of the Planning Commission denying the Phase Plan as required by Condition No. 1 of Conditional Use Permit No. 5206; sustaining the decision of the Planning Commission to deny said Phase Plan

Mayor Wilson recessed the Meeting at 3:50 p.m. Upon reconvening at 4:05 p.m., the roll call showed Councilmen Landt, Williams, and Hitch absent.

(Item 11)

A proposed Ordinance, amending Article VI, Division 3 of the San Diego Municipal Code by amending Sections 63.20.12 and 44.0330 relating to Dogs on City Beaches and Parks, was presented.

Kim Myrman appeared to speak regarding the proposed Ordinance.

Councilman Morrow made a motion to amend the proposed Ordinance to exclude the Youth Camp area of Fiesta Island, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Landt, Williams, and Hitch.

Assistant City Attorney Teaze stated that Section 44.0330 should be deleted from the proposed Ordinance.

A proposed Ordinance, amending Article VI, Division 3 of the San Diego Municipal Code by amending Section 63.20.12 relating to Dogs on City Beaches, was introduced, as amended, on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Bates, and Mayor Wilson. Nays-

(Item 11 Continued)

None. Absent-Councilmen Landt, Williams, and Hitch.

(Item 12)

A proposed Ordinance, amending Ordinance No. 9708 (New Series), incorporating Council Policy 700-20 concerning Restrictions on Use of Federal Funds For Urban Renewal Projects, was presented.

Gerald Fox appeared to speak regarding the proposed Ordinance.

A proposed Ordinance, amending Ordinance No. 9708 (New Series), incorporating Council Policy 700-20 concerning Restrictions on Use of Federal Funds For Urban Renewal Projects, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Landt, Williams, and Hitch.

(Item 13)

Considered after Item 5.

(Item 14)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Johnson:

RESOLUTION 205585, Perry Electric for the construction of safety lighting system on University Avenue between College Avenue and 69th Street for the sum of \$14,400; authorizing the expenditure of \$19,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 205586, authorizing the use of City Forces to do all the work of re-circuiting existing safety lights and traffic signals as required in connection with the construction of safety lighting system on University Avenue between College Avenue and 69th Street;

RESOLUTION 205587, ITT Telecommunications for the purchase and installation of additional microwave equipment for an actual cost of \$381,335.10, including tax, installation charge, less trade-in;

RESOLUTION 205588, Balboa Datsun, Carl Burger Dodge, Howard Taylor Dodge, Mira Mesa Dodge, and International Harvester Company for the purchase of 92 items of automotive equipment for a total actual cost of \$266,600.14, including tax and terms; and

RESOLUTION 205589, Westinghouse Electric Supply and Sunlight Electric Supply Co., Inc. for the purchase of dry cell batteries for a period of one year ending June 30, 1973, with an option to renew contracts for an additional year for a total actual estimate of \$24,170.80, including tax and terms.

(Item 15)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Johnson:

RESOLUTION 205590, Westinghouse Electric Supply Co., Coast Electric Company, and Sunlight Electric Supply Co. for the purchase of electrical maintenance and repair materials for a period of one year ending June 30, 1973, for a total actual estimate of \$38,303.34, including tax and terms;

RESOLUTION 205591, Apperson Business Forms, Inc. for the purchase of 60,000 sets of Form PD 177, Moving Citations for an actual cost of \$1,389.15, including tax and terms;

RESOLUTION 205592, H. W. Wilson Co. for the purchase of renewal subscriptions for a period of one year ending June 30, 1973, for an actual estimated cost of \$3,981, including terms;

RESOLUTION 205593, General Electric Co. for the purchase of two receiver selector systems for an actual cost of \$3,710.91, including tax and terms, with an option to buy additional equipment at these bid prices for one year from date of original purchase order;

RESOLUTION 205594, Union-Tribune Publishing Co. for the purchase of classified advertising for a period of one year ending June 30, 1973, for a contract estimate of \$9,000; and

RESOLUTION 205595, Advanced Business Systems, Inc. for the leased copy machines for a period of one year ending June 30, 1973, for an actual contract estimate of: Est. revenue for one year - \$60,000, Est. expenditure - \$35,760, and Est. net profit to City - \$24,240.

(Item 16)

RESOLUTION 205596, inviting bids for rental of heavy duty tractor bulldozers for a period of one year ending June 30, 1973, in accordance with Specifications Document No. 739888, was adopted on motion of Councilman Johnson.

(Item 100)

The following Resolutions, relative to Accepting the Work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Martinet:

RESOLUTION 205597, Arena Plaza Subdivision;

RESOLUTION 205598, Don Bernardo Estates;

RESOLUTION 205599, Larwin Mesa View Unit 3;

RESOLUTION 205600, Larwin Mesa View Unit 4; and

RESOLUTION 205601, Westwood School.

(Item 101)

Three proposed Resolutions, relative to the improvement of Calle Del Cielo between Paseo Dorado and Calle Vallecitos under 1913 Municipal Improvement Act, were presented.

(Item 101 Continued)

James McLaughlin, Community Development Department, answered questions directed by the Council.

The following Resolutions were adopted on motion of Councilman Johnson:

RESOLUTION 205602, declaring intention to order certain improvements within The City of San Diego pursuant to the Municipal Improvement Act of 1913; stating intention to enter Agreements for the conversion of existing overhead electric and communication facilities to underground locations; describing the district to be benefited by said improvements and to be assessed to pay the cost and expense thereof; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for the use of any surplus amount remaining in the Improvement Fund after completion of the improvement; and referring the proposed improvement to the City Engineer to make and file a written report;

RESOLUTION 205603, approving a report prepared pursuant to the Municipal Improvement Act of 1913; and fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in said report and whether public convenience and necessity requires such improvements, and giving notice thereof; and

RESOLUTION 205604, directing the City Clerk to give notice inviting sealed bids for the purchase of Improvement Bonds and the conversion of existing overhead electric and communication facilities to underground location improvements.

(Item 102)

RESOLUTION 205605, setting aside and dedicating for the purpose of a public street the easterly 1,038.78 feet of Lot B of Pacific Valley Estates, marked "Lot B Reserved for Future Street"; naming the same IRIS AVENUE, was adopted on motion of Councilman Martinet.

(Item 103)

RESOLUTION 205606, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record of College Ranch Unit 5-A the existing easement for water purposes affecting a portion of said property, was adopted on motion of Councilman Morrow.

(Item 104)

RESOLUTION 205607, accepting the Grant Deed of Louis H. and Elsie A. Merz conveying the East Half of Lots "G" and "H", Block 41, New San Diego, was adopted on motion of Councilman Martinet.

(Item 105)

RESOLUTION 205608, authorizing a Consent to Sublease Agreement with Perez Cove Marina, subleasing a portion of its lease premises in Mission Bay Park to Anderson Products for manufacturing marine canvas products, was adopted on motion of Councilman Martinet.

(Item 106)

The following Resolutions, authorizing a Consent to Sublease Agreement with Dana Marina, Inc., were adopted on motion of Councilman Martinet:

RESOLUTION 205609, subleasing a portion of its lease premises in Mission Bay Park to Art-Full Distributing Corp., for the purpose of a boat rental service for a period of one year, terminating February 28, 1973; and

RESOLUTION 205610, subleasing a portion of its lease premises in Mission Bay Park to Coastal Boat Sales for the purpose of selling new and used sail craft for a period of one year, terminating March 14, 1973.

(Item 107)

A proposed Resolution, authorizing a representative of the Police Department to attend the California Peace Officers Association Conference, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 205611, authorizing a representative of the Police Department to attend the California Peace Officers Association Conference to be held in Anaheim, California, May 21-24, 1972, and to incur all necessary expenses, was adopted on motion of Councilman Martinet.

(Item 108)

RESOLUTION 205612, consenting to a joint public hearing as provided for by Sections 33355 through 33359 of the Health and Safety Code of the State of California, and designating June 20, 1972, as the date for the joint hearing by the Council and the Redevelopment Agency of The City of San Diego, said hearing to be held at 2:00 p.m. in the Council Chambers, 12th Floor, City Administration Building, Community Concourse, San Diego, was adopted on motion of Councilman Johnson.

There being no further business to come before the Council, at this time, by Unanimous Consent granted to the City Manager, the Meeting was adjourned in memory of Mrs. Lee Edna Ford, at 4:20 p.m., on motion of Councilman Martinet.

*Rate Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*

City Clerk of The City of San Diego, California